

March 19, 1976

I would certainly think the Cavanaugh amendment clears up any questions that Senator Burrows or Senator Chambers raised on this subject.

PRESIDENT: Senator Schmit.

SENATOR SCHMIT: Mr. President, I have a question of Senator Cavanaugh if he would yield please.

SENATOR CAVANAUGH: Yes.

SENATOR SCHMIT: Senator Cavanaugh, if the body should adopt the amendment which you have proposed would that remove any further objection from you to that particular section?

SENATOR CAVANAUGH: Yes.

SENATOR SCHMIT: Then I would support the amendment as explained by Senator Cavanaugh.

SENATOR CAVANAUGH: My objection is to Section 18.

SENATOR SCHMIT: That's right.

SENATOR CAVANAUGH: Exclusively.

SENATOR SCHMIT: I'm taking Section by Section also.

PRESIDENT: Senator Murphy.

SENATOR MURPHY: Question of Senator Schmit. Do we have defined in this somewhere what standards of due care are?

SENATOR SCHMIT: Yes, Senator Murphy, it is defined.

SENATOR MURPHY: Thank you.

PRESIDENT: The question is the adoption of Senator Cavanaugh's amendment to Section 18. Record your vote. Record.

CLERK: 26 ayes, 0 nays.

PRESIDENT: The amendment is adopted.

CLERK: Now there's another amendment, Mr. President, offered by Senator Chambers. (Read Chambers amendment found on page 1249 of the Journal).

PRESIDENT: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature. This I had drafted prior to seeing Senator Cavanaugh's amendment. What I would like to see done is ... well the part that begins "provided". I would like to see that added to what Senator Cavanaugh just had adopted as an amendment. It's saying that "any treatment or procedure which is out of the ordinary or which carries